

## **Exhibit 16**

8/31/10

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

## INCIDENT REPORT 90125A

SP3

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12.9

Institution/Center: <u>BROAD RIVER CORRECTIONAL INSTITUTION</u>				
Date of Report: <u>AUGUST 23, 2010</u>			Time of Report: <u>Approx: 8:30 PM</u>	
Reporting Official: <u>LT. WILLIE SIMMONS OEO173</u>			Date of Incident: <u>AUGUST 23, 2010</u>	
Location of Incident: <u>SMY SALYON UNIT Cell #130</u>			Time of Incident: <u>Approx: 4:30 PM</u>	
Inmate(s)/Resident:	SCDC#	Age	Race	Sex
1. <u>MANN ANTHONY</u>	<u>242498</u>	<u>12</u>	<u>M</u>	<u>M</u>
2.				
3.				
4.				
5.				
Employee(s) Involved:				
1. <u>OFF. J. COOK</u>		<u>CPL RAY</u>		
2. <u>OFF. MALLIGANelli</u>				
3. <u>Set K. MOORE</u>				
4. <u>CPL. MANNELY</u>				
5. <u>OFF. MCNEAL</u>				
On the above date and approximate time: <u>I LT. W. SIMMONS GAVE INMATE MANN ANTHONY SCDC #</u> <u>242498 SEVERAL DIRECTIVE TO BACK UP TO HIS CELL DOOR TO BE RESTRAINED INMATE MANN</u> <u>REFUSED ALL DIRECTIVE AT THAT TIME I LT. SIMMONS ADMINISTERED TWO SHORT BURST OF</u> <u>MK-9 FOGGER IN TO I/M MANN Cell #130. CALISTER #1 A-1-B-1</u> <u>BEGINNING weight: 310.4 - AMOUNT USED: 109.4 ENDING weight: 102.0 LPH SUSAN</u> <u>SEBAG NOTIFY</u> <u>APPROXIMATELY 4:53 PM I LT. W. SIMMONS WENT BACK TO INMATE MANN Cell #130</u> <u>TO SEE IF HE WILL COMPLY TO MY DIRECTIVE I/M MANN STATED (FUCK YOU) AT THAT</u> <u>TIME I LT. SIMMONS GAVE I/M MANN SEVERAL MORE DIRECTIVE TO BACK UP TO HIS CELL DOOR</u> <u>TO BE HAND CUFFED. I/M MANN REFUSED ALL DIRECTIVE AT THAT TIME I LT. SIMMONS</u> <u>ADMINISTERED TWO MORE SHORT BURST OF MK-9 FOGGER IN TO HIS CELL. THE FORCE CELL</u> <u>MOVEMENT TEAM WAS ASSEMBLED. SHIELD MAN: OFF. J. COOK 2) upper Left: OFF. MALLIGANelli</u> <u>Dupper Right: Set K. MOORE 4) Lower Left: CPL MANNELY 5) Lower Right: OFF. MCNEAL</u> <u>VIDEO RECORDER: CPL RAY CALISTER #2 A-2/B-2</u> <u>BEGINNING weight: 523.9 - AMOUNT USED: 138.7 ENDING weight: 385.2 TOTAL USED: 248.1</u> Signature: <u>Willie Simmons OEO173</u>				
Evidence:				
Witness(es):				
Supervisor's Comments: <u>Referred to the Major</u> <u>for action.</u>				
<div style="border: 1px solid black; padding: 5px;"> STG Related - Refer to STG Committee  ( ) Yes ( ) No <input checked="" type="checkbox"/> Unknown    This Incident is DRUG related  ( ) Yes ( ) No <input checked="" type="checkbox"/> Unknown </div>				
Signature: <u>Tammy Smith</u> Title: <u>CPT.</u> Date/Time: <u>8-23-10 10:00 PM</u> Major/Responsible Authority: <u>Due to the Continuation</u> <u>of the charges and due to the seriousness</u> <u>825 Refusing or failing to obey</u>				
<div style="border: 1px solid black; padding: 5px;"> Action Taken  ( ) Informal Resolution  ( ) Administrative Resolution  <input checked="" type="checkbox"/> Refer to Disciplinary Hearing </div>				
Signature: <u>S. Smith</u> Title: <u>Major</u> Date: <u>8/30/10</u>				